

**SERVICE DATE**  
**Oct 14, 2021**

PSC REF#:423095

Public Service Commission of Wisconsin  
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**PUBLIC SERVICE COMMISSION OF WISCONSIN**

Wisconsin Electric Power Company (6630) and Wisconsin Gas LLC  
(6650) Conservation Activities and Voluntary Utility Programs for 2022

5-EE-2022

**FINAL DECISION**

This is the Final Decision in the June 30, 2021 application by Wisconsin Electric Power Company and Wisconsin Gas LLC (collectively We Energies) for approval to operate the Residential Assistance Program (RAP) as a voluntary energy efficiency program in 2022-2023. The Public Service Commission of Wisconsin (Commission) considered We Energies' application at its open meeting of September 16, 2021.

The application is APPROVED, subject to the modifications described in this Final Decision.

**Introduction**

We Energies' RAP delivers weatherization services to residential natural gas customers with incomes below 80 percent of the state median income. It provides bonus incentives on top of incentives already provided by Focus on Energy's (Focus') Residential Trade Ally Solution to cover remaining project costs that would otherwise be paid by the participant. Customers are referred to the program through the utility's income qualified programs as well as the State Low Income Weatherization Program or from other community support agencies.

We Energies requested to continue operating RAP in 2022-2023 by continuing existing services currently offered. The proposal also includes a pilot initiative designed to expand the types of customers eligible to receive assistance. Under the RAP pilot, eligibility would be expanded to include owner occupied units in multifamily structures with four or more units, non-

owner occupied multifamily customers in structures with up to 12 units, and non-profit organizations. An additional component of the RAP pilot would allow the utility to consider flexible income eligibility criteria to allow the program to provide services to customers in need of assistance but who do not meet the current income eligibility definition of below 80 percent of statewide median income. The program budget for each year would be \$925,000, the same as the annual budgets approved by the Commission for the 2018-2019 RAP ([PSC REF#: 331251](#)) and the 2020-2021 RAP ([PSC REF#: 379404](#)). We Energies proposed to continue with its annual participation goal of 150 homes and its annual savings goal of 35,700 therms per year.

### **Findings of Fact**

1. The proposed We Energies RAP is reasonable and in the public interest.

### **Conclusions of Law**

1. The Commission has the authority to approve the proposed voluntary energy efficiency program under Wis. Stat. §§ 196.02, 196.374(2)(b)2., and 196.395, and Wis. Admin. Code § PSC 137.08.

### **Opinion**

Wisconsin Admin. Code § PSC 137.08 sets forth factors the Commission must consider in reviewing a request to implement voluntary energy efficiency programs. The Commission has considered these factors and determines that the continuation and pilot expansion of RAP is in the public interest. The proposed program includes appropriate energy efficiency measures and is appropriately coordinated with Focus program operations. The proposed budget of \$925,000 is adequate to meet the programs goal of serving 150 households and saving 35,700 therms per year, and past performance indicates the program is likely to achieve these goals. Further, it is

reasonable for the pilot initiative to explore opportunities to expand program services to certain customer segments previously ineligible and to consider flexibility in income eligibility. As a condition of the Commission's approval of the pilot initiative, We Energies shall submit to the Commission by June 1, 2024 an evaluation of the 2022-2023 RAP pilot that assesses the pilot program's process including its ability to expand services to additional customer segments, the number of customers served by market segment, the flexible income criteria parameters considered and employed, and recommendations for program process improvements.

**Order**

1. We Energies' request to extend RAP as a voluntary energy efficiency program for 2022-2023 is approved, as conditioned by this Final Decision.
2. We Energies' request for approval of a pilot initiative to expand customer eligibility for RAP in 2022 and 2023 is approved, as conditioned by this Final Decision.
3. We Energies shall submit to the Commission by June 1, 2024 a process evaluation of the pilot aspects of the 2022-2023 RAP.
4. This Final Decision takes effect one day after the date of service.
5. Jurisdiction is retained.

Dated at Madison, Wisconsin, the 14<sup>th</sup> day of October, 2021.

By the Commission:

A handwritten signature in black ink, reading "Steffany Powell Coker". The signature is written in a cursive, flowing style.

Steffany Powell Coker  
Secretary to the Commission

SPC:KN:TK:JP:MH:kle:jac DL:01831226

See attached Notice of Rights

PUBLIC SERVICE COMMISSION OF WISCONSIN  
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**NOTICE OF RIGHTS FOR REHEARING OR JUDICIAL REVIEW, THE  
TIMES ALLOWED FOR EACH, AND THE IDENTIFICATION OF THE  
PARTY TO BE NAMED AS RESPONDENT**

The following notice is served on you as part of the Commission's written decision. This general notice is for the purpose of ensuring compliance with Wis. Stat. § 227.48(2), and does not constitute a conclusion or admission that any particular party or person is necessarily aggrieved or that any particular decision or order is final or judicially reviewable.

*PETITION FOR REHEARING*

If this decision is an order following a contested case proceeding as defined in Wis. Stat. § 227.01(3), a person aggrieved by the decision has a right to petition the Commission for rehearing within 20 days of the date of service of this decision, as provided in Wis. Stat. § 227.49. The date of service is shown on the first page. If there is no date on the first page, the date of service is shown immediately above the signature line. The petition for rehearing must be filed with the Public Service Commission of Wisconsin and served on the parties. An appeal of this decision may also be taken directly to circuit court through the filing of a petition for judicial review. It is not necessary to first petition for rehearing.

*PETITION FOR JUDICIAL REVIEW*

A person aggrieved by this decision has a right to petition for judicial review as provided in Wis. Stat. § 227.53. In a contested case, the petition must be filed in circuit court and served upon the Public Service Commission of Wisconsin within 30 days of the date of service of this decision if there has been no petition for rehearing. If a timely petition for rehearing has been filed, the petition for judicial review must be filed within 30 days of the date of service of the order finally disposing of the petition for rehearing, or within 30 days after the final disposition of the petition for rehearing by operation of law pursuant to Wis. Stat. § 227.49(5), whichever is sooner. If an *untimely* petition for rehearing is filed, the 30-day period to petition for judicial review commences the date the Commission serves its original decision.<sup>1</sup> The Public Service Commission of Wisconsin must be named as respondent in the petition for judicial review.

If this decision is an order denying rehearing, a person aggrieved who wishes to appeal must seek judicial review rather than rehearing. A second petition for rehearing is not permitted.

Revised: March 27, 2013

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<sup>1</sup> See *Currier v. Wisconsin Dep't of Revenue*, 2006 WI App 12, 288 Wis. 2d 693, 709 N.W.2d 520.